



COMMONWEALTH of VIRGINIA

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Secretary of Natural Resources

DEPARTMENT OF ENVIRONMENTAL QUALITY

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COMMONWEALTH OF VIRGINIA Department of Environmental Quality Blue Ridge Regional Office

STATEMENT OF LEGAL AND FACTUAL BASIS

August 11, 2011

Old Virginia Brick Company, Inc.

Salem, Virginia

Permit No. BRRO - 20302

Title V of the 1990 Clean Air Act Amendments required each state to develop a permit program to ensure that certain facilities have federal Air Pollution Operating Permits, called Title V Operating Permits. As required by 40 CFR Part 70 and 9 VAC 5 Chapter 80, Old Virginia Brick Company has applied for a Title V Operating Permit for its Salem, Virginia facility. The Department has reviewed the application and has prepared a Title V Operating Permit renewal.

Engineer/Permit Contact:

Pamela J. Derk
(540) 562-6732

Date:

8/11/11

Air Permit Manager:

David J. Brown

Date:

8/11/11

Regional Director:

Robert J. Weld

Date:

8/11/11

FACILITY INFORMATION

Permittee

Old Virginia Brick Company, Inc.
Post Office Box 508
Salem, Virginia 24153

Facility

Old Virginia Brick Company, Inc. – Salem Plant
2500 West Main Street
Salem, Virginia 24153

County-Plant Identification Number: 51-775-00001

SOURCE DESCRIPTION

NAICS Code: 327331 – Brick Manufacturing

Old Virginia Brick Company – Salem Plant is owned by Old Virginia Brick Acquisition Co., which manufactures face brick, glazed brick, and special shapes covered under Standard Industrial Classification (SIC) Code 3251. The plant processes trucked-in clay, shale and sand into formed brick. Processing equipment include a sand drying and handling line, clay and shale crushing and handling, two molding lines, two natural gas-fired tunnel kilns and associated dryers. DEQ's files indicate the facility has been a registered source since 1972, and has been in operation at its present location since 1890. The facility is permitted to manufacture 100,000 tons of brick per year.

The facility is a Title V major source of hydrogen fluoride (HF) and hydrogen chloride (HCl), which are hazardous air pollutants (HAPs). The facility does not have potential to emit any criteria pollutants in excess of 100 tons per year. This source is located in an attainment area for all pollutants, and is a PSD minor source.

The facility received a minor new source review (NSR) permit, dated October 5, 1977, to switch its two brick tunnel kilns from a mixture of gas and oil to primarily coal. However, oil can no longer be burned since the installation of high velocity gas burners in 1985, and the 1977 permit allowing coal to be burned has been rescinded at the company's request. In 1995, the facility added the capability to burn propane, but presently only burns natural gas. The facility is currently permitted under a minor NSR Permit to construct and operate replacement sand dryer and related equipment, dated October 2, 1987 and a State Operating Permit (SOP) dated September 13, 2004 to restrict each tunnel kiln's throughput capacity to 9.9 tons per hour. In 1987, the existing extrusion mold-making equipment for Plant 3 (MOLD3) and associated dryers were replaced by a wet-formed brick process using wooden molds, and three small 4MMBtu/hr gas dryers, respectively. The project was determined to be exempt from permitting because resulting emissions were less than increased levels needed for minor modification permitting. The facility's initial Title V permit was issued on January 1, 2000, with 1st renewal dated August 31, 2006.

No regulations pursuant to 40 CFR 61 - National Emission Standard for Hazardous Air Pollutants (NESHAP) or 40 CFR 63 - Maximum Achievable Control Technology (MACT) are applicable at this time. In their decision dated March 3, 2007, the District of Columbia Circuit Court of Appeals vacated 40 CFR 63 Subpart JJJJJ; National Emission Standard for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing; the vacature is addressed in the "Future Applicable Requirements" section of this document.

The facility provided a CAM applicability determination request in the last Title V renewal application. Unit SD, the sand dryer, rated at 2 tons per hour, is the only unit at the facility which requires controls to meet permitted limits. Based upon the permitted throughput limit and the AP-42 emission factor for this operation, the sand dryer has pre-control device emissions of less than 100 tons per year of PM-10, thus the CAM rule does not apply.

COMPLIANCE STATUS

A full compliance evaluation of this facility was conducted on October 7, 2009, with a site visit and surveillance site visit conducted on March 24, 2010. In addition, all reports and other data required by permit conditions or regulations, which have been submitted to DEQ, were evaluated for compliance. Based on these compliance evaluations, the facility has not been found to be in violation of any state or federal applicable requirements at this time.

EMISSION UNIT AND CONTROL DEVICE IDENTIFICATION

The emissions units at this facility are listed in Condition II of the Title V permit.

EMISSIONS INVENTORY

A copy of the 2010 annual emission update is attached. Emissions are summarized in the following table:

Plant wide	2010 Pollutant Emission in Tons/Year							
	VOC	CO	SO ₂	PM _{2.5}	PM ₁₀	NO _x	HF	HCl
	0.30	14.82	8.27	0.04	3.50	4.32	4.57	2.10

EMISSION UNIT APPLICABLE REQUIREMENTS – SD, DRY3, DRY4, KIL3 & KIL4**Limitations**

The following limitations are requirements from conditions of the State Operating Permit (SOP), issued on September 13, 2004, minor new source review (NSR) permit, issued October 2, 1987, and the Virginia Administrative Code:

- Condition III.A.1. – approves use of natural gas as fuel for sand dryer, batch drying ovens and tunnel kilns. (SOP C.6., 9 VAC 5-80-850 - Standards and Conditions for Granting Permits)
- Condition III.A.2 - limits particulate emissions from the operation of the sand dryer to 1.7 lbs/hr and 1.8 tons/yr. (NSR C.5, 9 VAC 5-50-260 New Source Standards for Stationary Sources – Best Available Control Technology (BACT))
- Condition III.A.3. – limits hourly emissions from the operation of each tunnel kiln to the following:

PM/PM ₁₀	11.4 lbs/hr	VOC	0.3 lbs/hr
SO ₂	8.0 lbs/hr	Lead	1.8 x 10 ⁻³ lbs/hr
NO _x	4.2 lbs/hr	HF	4.4 lbs/hr
CO	14.3 lbs/hr	HCl	2.0 lbs/hr

(SOP C.7., 9 VAC 5-80-850- Standards and Conditions for Granting Permits, 9 VAC 5-40-260 – Existing Source Standards for Particulate Matter (process Weight-Rate Table 4.4.A))

- Condition III.A.4. – limits annual emissions from the operation of the two tunnel kilns (combined) to the following:

PM/PM ₁₀	57.6 tons/yr	VOC	1.4 tons/yr
SO ₂	40.2 tons/yr	Lead	9.0 x 10 ⁻³ tons/yr
NO _x	21.0 tons/yr	HF	22.2 tons/yr
CO	72.0 tons/yr	HCl	10.2 tons/yr

(SOP C.8., 9 VAC 5-80-850- Standards and Conditions for Granting Permits, 9 VAC 5-40-260 – Existing Source Standards for Particulate Matter (process Weight-Rate Table 4.4.A))

- Condition III.A.5 - limits visible emissions from the operation of the sand dryer (SD) and related equipment to five percent (5%) opacity. (NSR C.5. & C. 6., 9 VAC 5-50-260 - New Source Standards for Stationary Sources (BACT))
- Condition III.A.6 - limits visible emissions from Plant 3 dryers to 20% / 30%. (9 VAC 5-50-80 – New Source Standard for Visible Emissions)
- Condition III.A.7 – limits visible emissions from Plant 4 dryers to 20% / 60%. (9 VAC 5-40-80 – Existing Source Standards for Visible Emissions)
- Condition III.A.8. - limits visible emissions from the tunnel kilns to twenty percent (20%) opacity except during one six-minute period in any one hour in which visible emissions shall not exceed sixty percent (60%) opacity. (SOP C.10., 9 VAC 9 VAC 5-40-80 - Existing Source Standard for Visible Emissions)

Monitoring / Recordkeeping

- Condition III.B.1. - the permit includes requirements for maintaining records of all monitoring and testing required by the permit. These records include the annual throughput of natural gas (in million cubic feet) to the two tunnel kilns (combined) and the pollutant-specific emission factors relied upon for the purpose of calculating actual emission rates.¹ (SOP C.11., 9 VAC 5-50-50 – Notification, records and reporting)

The hourly and annual kiln particulate emissions limits included in the permit are taken from the September 13, 2004 SOP and based on AP-42, Section 11.3: *Emission Factors of Brick and Structural Clay Product Manufacturing*. To show compliance with particulate emissions limits in this section, the permittee monitors and records on a per-batch basis the throughput of bricks to the kilns. Records of pollutant-specific emission factors relied upon for the purpose of calculating actual emission rates and associated equations are maintained. Actual particulate emissions can be calculated using the following formula: Number of bricks / batch duration (hrs) x lbs/brick ('dry weight') x ton/2000 lbs x E (emission factor) = lb PM10 emitted per hour. The AP-42 total PM emission factor assumes all PM-10 as PM, and includes condensables.

The permit also contains emission limits for criteria pollutants CO, SO₂, VOC, and NO_x. These limits were established in accordance with agency practice of establishing emission limits for any criteria pollutant expected to be emitted at a level greater than 0.5 tpy; primarily used for emission inventory purposes. The emission limits contained in the permit were calculated using AP-42 Section 11.3 emission factors. The limits for PM are more stringent than the existing source – process weight rate allowable emissions under 9 VAC 5-40-260 C. (*interpolation of the data in Table 4-4A for process weight rates up to 60,000 tons/hr*), and the SO₂ limits are more stringent than the associated allowable emission rate according to 9 VAC 5-40-280 B., therefore have been streamlined.

The hydrogen fluoride (HF) and hydrogen chloride (HCl) emission limits were established in the September 13, 2004 SOP using AP-42, Table 11.3-4. factors. Actual HF and HCl emissions are calculated using the

¹ The facility currently uses a representative site-specific emission factor based upon brick production instead of fuel usage, but shall continue to keep fuel-usage records should additional or different calculations be used in the future.

following formula: Number of bricks / batch duration (hrs) x 5 lbs/brick ('dry weight') x ton/2000 lbs x E (emission factor) = lb pollutant emitted per hour. Please also see "Facility-Wide testing" for discussion of raw materials analysis required by the permit. (9 VAC 5-80-110 – Federal Operating Permits for Stationary Sources – Permit Content)

The hourly and annual sand dryer particulate emission limits contained in Condition III.A.2. are taken from the October 2, 1987 minor NSR permit and are based on a BACT baghouse control efficiency of 99%, and maximum expected throughput limits for the 2 ton per hour dryer. To show compliance with PM/PM10 emission limits, the permittee monitors and records sand throughput. Emissions are calculated using the rated capacity (2 tons/hr) x ton/2000 lbs x E (emission factor for sand dryer with fabric filter) = lb pollutant emitted per hour. Annual emissions are calculated using the yearly throughput. Emission factors used are taken from AP-42, Chapter 11.19.1 – Sand and Gravel Processing. To provide an ongoing indication of baghouse performance the permit requires it be equipped with a device to continuously measure pressure drop and requires the permittee to conduct weekly observations of the pressure gauge and weekly visible emissions observations for the presence of visible emissions. The facility keeps a log of pressure gauge readings and records of visible emissions assessments sufficient to identify corrective measures, if needed, and to demonstrate compliance with proper operation and maintenance of the fabric filter. With respect to this control equipment, the permittee is also required to develop a maintenance schedule, to inspect the filter at least once a month, to have available written operating procedures, to train operators in proper operation and to maintain an inventory of needed spare parts to maintain it in proper working order.

A Visible emission observation requirement description is included under "Facility-Wide" section.

Testing

Not applicable. The permit does not require source tests. The Department and EPA have authority to require testing not included in this permit if necessary to determine compliance with an emission limit or standard.

Reporting

Reporting requirements for the facility are included in "General Conditions" section.

Streamlined Requirements

Not applicable.

EMISSION UNIT APPLICABLE REQUIREMENTS – PROCESS EQUIPMENT – CRSC, SD, DG, BM, DRY3, DRY4, MOLD3, MOLD4, KIL3, & KIL4

Limitations

The following limitations are requirements from conditions of the State Operating Permit (SOP), issued on September 13, 2004, minor new source review (NSR) permit, issued October 2, 1987, and the Virginia Administrative Code:

- Condition IV.A.1. – requires particulate emissions from the sand plant drying, grinding and blending/ mixing to be controlled by fabric filters.
(NSR C. 7, 9 VAC 5-80-1100 - Permits for New and Modified Stationary Sources)
- Condition IV.A.2. – limits annual throughput of sand to the sand dryer to 4160 tons.
(NSR C.4)
- Condition IV.A.3 - limits the production of fired bricks from each kiln to 9.9 tons per hour.
(SOP C.4., 9 VAC 5-80-850- Standards and Conditions for Granting Permits)

- Condition IV.A.4. – limits the production of fired bricks from both kilns (combined) to 100,000 tons/year.
SOP C.5., 9 VAC 5-80-850- Standards and Conditions for Granting Permits
- Condition IV.A.5 - limits PM10 emissions from Plant 3 dryers to 27.9 lbs/hr.
(9 VAC 5-40-260 – Existing Source Standards for Particulate Matter (process Weight-Rate Table 4.4.A))
- Condition IV.A.6 - limits PM10 emissions from Plant 4 dryers to 29.5 lbs/hr.
(9 VAC 5-40-260 – Existing Source Standards for Particulate Matter (process Weight-Rate Table 4.4.A))
- Condition IV.A.7 - limits visible emissions from CRSC, MOLD3 and MOLD4 to twenty percent (20%) opacity except during one six-minute period in any one hour in which visible emissions shall not exceed thirty percent (30%) opacity. (9 VAC 9 VAC 5-50-80 – New and Modified Source Standard for Visible Emissions, and 9 VAC 5-80-110 – Federal Operating Permits for Stationary Sources – Permit Content)

Monitoring / Recordkeeping

- Condition IV.B.1 - The fabric filter controlling particulate emissions from the sand dryer (SD) and all related equipment (emissions units DG and BM) shall be equipped with a device to continuously measure the differential pressure drop across that fabric filter. (9 VAC 5-50-80 – Standard for visible emissions, and 9 VAC 5-80-110 – Federal Operating Permits for Stationary Sources – Permit Content)
- Condition IV.B.2. - With respect to this control equipment, the permittee is also required to develop a maintenance schedule, to inspect the filter at least once a month, to have available written operating procedures, to train operators in proper operation and to maintain an inventory of needed spare parts to maintain it in proper working order. (9 VAC 5-40-20 – Existing sources: Compliance, 9 VAC 5-50-20 – New and Modified Sources: Compliance, and 9 VAC 5-80-110 – Federal Operating Permits for Stationary Sources – Permit Content)

As part of periodic monitoring, the facility keeps a log of weekly pressure gauge readings sufficient to identify corrective measures, if needed, and to demonstrate compliance with proper operation and maintenance of the fabric filter.

- Condition IV.C.1 - The permit includes requirements for maintaining records of all emission data and operating parameters necessary to demonstrate compliance with the permit. These records include the calculated per-batch weight of bricks to each batch drying oven sufficient to yield a representative hourly throughput; hourly production of fired bricks from each kiln and annual production of fired bricks from both kilns (combined); monthly and annual throughput of sand to the sand dryer; Method 22 visual observations and Method 9 visible emissions evaluations and the pollutant-specific emission factors relied upon for the purpose of calculating actual emission rates. (SOP C.11, 9 VAC 5-50-50 – Notification, records and reporting, 9 VAC 5-80-110 – Federal Operating Permits for Stationary Sources – Permit Content)

To show compliance with particulate emission limits for the dryers as contained in Conditions IV.A.5. and IV.A.6., the permittee shall monitor and record the representative weight of cured brick product on a per-

batch basis, and calculate the representative weight of wet brick / material to the dryers. The permittee shall maintain records of pollutant-specific emission factors relied upon for the purpose of calculating actual emission rates, and associated equations. Actual emissions will be calculated using the following formula: Number of bricks / batch duration (hrs) x lbs/brick ('wet weight') x ton/2000 lbs x E (emission factor) = lb PM10 emitted per hour. In lieu of AP-42 or other representative emission factor, the permittee may use $E=4.10p^{0.67}$, where p = process weight rate in tons/hr.² (9 VAC 5-80-110 – Federal Operating Permits for Stationary Sources – Permit Content)

Testing

Not applicable. The permit does not require source tests. The Department and EPA have authority to require testing not included in this permit if necessary to determine compliance with an emission limit or standard.

Reporting

Reporting requirements for the facility are included in "General Conditions" section.

Streamlined Requirements

Not applicable.

FACILITY-WIDE APPLICABLE REQUIREMENTS

Monitoring

- Condition V.A.1 - The permit includes the standard requirement to observe visually, at least once per calendar week in which the emissions unit operates, emissions units with visible emissions requirements in the sections entitled "Fuel Burning Equipment Requirements" and "Process Equipment Requirements". Emissions units found to have visible emissions shall be evaluated according to 40 CFR 60 Appendix A Method 9 visible emission evaluation (VEE), unless corrective action is taken that achieves no visible emissions.
(9 VAC 5-80-110E – Federal Operating Permits for Stationary Sources – Permit Content)

Monitoring for proper operation and maintenance of the kilns and process equipment, including periodic monitoring for visible emissions, is considered to be adequate periodic monitoring for PM.

Periodic monitoring requirements for opacity are based on observation of the presence or absence of visible emissions. In the event visible emissions are observed, corrective action is required, or VEE's as determined by EPA Method 9 are required to demonstrate compliance with the applicable opacity limit. The Department's inspection reports indicate that visible emissions have not exceeded the regulatory limits contained in this permit. Therefore, weekly observation for visible emissions is considered to be adequate frequency for periodic monitoring for opacity and this remains unchanged from the current Title V permit.

Testing

- Condition V.B.1. requires the permittee to conduct raw materials analysis on an annual basis to support calculations used to establish emissions limitations for hydrogen fluoride and sulfur dioxide and thereby provide an indicator for continuing compliance demonstrations.
(9VAC 5-80-110E – Federal Operating Permits for Stationary Sources – Permit Content)

²Emission limits for Plant 3 & 4 dryers are derived from formula taken from 9 VAC 5-40-260 C. - Emission Standards for General Process Operations - Interpolation of data in Table 4-4A (maximum allowable emission rates) for process weight rates up to 60,000 lb/hr.

- Condition V.B.2. and 3. - the permit does not require emissions tests. The Department and EPA have authority to require testing not included in this permit if necessary to determine compliance with an emission limit or standard.
(SOP C.3., 9 VAC 5-40-30 – Existing Sources: Emissions testing, 9 VAC 5-50-30 – New and Modified Sources: Emissions testing)

Recordkeeping

- Condition IV.C.1. - requires the permittee to keep Method 22 visual observations and Method 9 visible emissions evaluations pursuant to Condition V.A. 1.
(SOP C.11, 9 VAC 5-50-50 – Notification, records and reporting, 9 VAC 5-80-110 – Federal Operating Permits for Stationary Sources – Permit Content)
- Condition V.C.1. - requires the permittee to keep records of approved sampling program and results, to be available for inspection by the DEQ and retained on site for a period of five(5) years.
(9 VAC 5-50-20 – New and Modified Sources: Compliance and 9 VAC 5-80-110 – Federal Operating Permits for Stationary Sources – Permit Content)

Reporting

- Condition V.D.1. - requires the permittee to report results of approved sampling program to the DEQ within 60 days of sampling,
(9 VAC 5-40-50 – Notification, records and reporting and 9 VAC 5-80-110 – Federal Operating Permits for Stationary Sources – Permit Content)

General reporting requirements for the facility are included in “General Conditions” section.

Streamlined Requirements

Not applicable.

GENERAL CONDITIONS

The permit contains general conditions required by 40 CFR Part 70 and 9 VAC 5-80-110 that apply to all Federal-operating permitted sources. These include requirements for submitting semi-annual monitoring reports and an annual compliance certification report. The permit also requires notification of deviations from permit requirements or any excess emissions.

Comments on General Conditions

B. Permit Expiration

This condition refers to the Board taking action on a permit application. The Board is the State Air Pollution Control Board. The authority to take action on permit application(s) has been delegated to the Regions as allowed by §2.2-604 and §10.1-1185 of the *Code of Virginia*, and the “Department of Environmental Quality Agency Policy Statement No. 2-09”.

This general condition cite(s) the Article(s) that follow(s):

Article 1 (9 VAC 5-80-50 et seq.), Part II of 9 VAC 5 Chapter 80. Federal Operating Permits for Stationary Sources

This general condition cites the sections that follow:

9 VAC 5-80-80. Application

9 VAC 5-80-140. Permit Shield

9 VAC 5-80-150. Action on Permit Applications

F. Failure/Malfunction Reporting

Section 9 VAC 5-20-180 requires malfunction and excess emission reporting within four hours of discovery. Section 9 VAC 5-80-250 of the Title V regulations also requires malfunction reporting; however, reporting is required within two days. Section 9 VAC 5-20-180 is from the general regulations. All affected facilities are subject to section 9 VAC 5-20-180 including Title V facilities. Section 9 VAC 5-80-250 is from the Title V regulations. Title V facilities are subject to both sections. A facility may make a single report that meets the requirements of 9 VAC 5-20-180 and 9 VAC 5-80-250. The report must be made within four daytime business hours of discovery of the malfunction.

J. Permit Modification

This general condition cites the sections that follow:

9 VAC 5-80-50. Applicability, Federal Operating Permit For Stationary Sources

9 VAC 5-80-190. Changes to Permits.

9 VAC 5-80-260. Enforcement.

9 VAC 5-80-1100. Applicability, Permits For New and Modified Stationary Sources

9 VAC 5-80-1790. Applicability, Permits For Major Stationary Sources and Modifications Located in Prevention of Significant Deterioration Areas

9 VAC 5-80-2000. Applicability, Permits for Major Stationary Sources and Major Modifications Locating in Nonattainment Areas

U. Malfunction as an Affirmative Defense

The regulations contain two reporting requirements for malfunctions that coincide. The reporting requirements are listed in sections 9 VAC 5-80-250 and 9 VAC 5-20-180. The malfunction requirements are listed in General Condition U and General Condition F. For further explanation see the comments on general condition F.

This general condition cites the sections that follow:

9 VAC 5-20-180. Facility and Control Equipment Maintenance or Malfunction

9 VAC 5-80-110. Permit Content

Y. Asbestos Requirements

The Virginia Department of Labor and Industry under Section 40.1-51.20 of the Code of Virginia also holds authority to enforce 40 CFR 61 Subpart M, National Emission Standards for Asbestos.

This general condition contains a citation from the Code of Federal Regulations that follow:

40 CFR 61.145, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to demolition and renovation.

40 CFR 61.148, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to insulating materials.

40 CFR 61.150, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to waste disposal.

This general condition cites the regulatory sections that follow:
9 VAC 5-60-70. Designated Emissions Standards
9 VAC 5-80-110. Permit Content

STATE ONLY APPLICABLE REQUIREMENTS

Not applicable.

FUTURE APPLICABLE REQUIREMENTS

The facility is a major source for hazardous air pollutants hydrogen fluoride (HF) and hydrogen chloride (HCl) from the kiln.

In their decision dated 3/3/07 the District of Columbia Circuit Court of Appeals vacated 40 CFR 63 Subpart JJJJ: National Emission Standard for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing. Specific guidance on how to address the vacature is currently being considered by the EPA and VA-DEQ, and will be applied when available.

INAPPLICABLE REQUIREMENTS

- 9 VAC 5 Chapter 40 – Existing Stationary Sources – Part II - Emission Standards – Article 8: Emission Standards for Fuel Burning Equipment (Rule 4-8). Each kiln is not a fuel-burning unit by definition.
- 9 VAC 5 Chapter 40 – Existing Stationary Sources – Part II - Emission Standards – Article 14: Emission Standards for Sand and Gravel processing Operations and Stone Quarrying Processing Operations (Rule 4-14). The sand operation is not located at a sand or gravel processing plant by definition.
- 40 CFR Part 64 – Compliance Assurance Monitoring:

Unit Reference ID	Applicability Criteria ^(a)			CAM Rule Applicable?
	(1)	(2)	(3)	
CRSC	Yes	No ^(b)	NA	No
SD	Yes	Yes	No ^(c)	No
DG	Yes	Yes	No ^(c)	No
BM	Yes	Yes	No ^(c)	No
MOLD3	No	NA	NA	No
MOLD4	No	No ^(b)	NA	No
DRY3	Yes	No	NA	No
DRY4	Yes	No	NA	No
KIL3	Yes	No	NA	No
KIL4	Yes	No	NA	No

(a) Applicability Criteria, from 40 CFR 64.2(a). All three of these applicability criteria must be met for the CAM rule to apply:

- (1) Is the unit subject to an emission limitation for the applicable regulated air pollutant (or a surrogate thereof) other than an emission limitation or standard that is exempt under 40 CFR 64(b)(1)?
- (2) Does the unit use a control device to achieve compliance with the emission standard listed in (1)?
- (3) Does the unit have potential pre-control device emissions that are equal to or greater than 100 percent of the amount, in tons per year, required for the source to be classified as a major source?

(b) A baghouse was installed on CRSC for elective purposes and not required to meet the emission standard.

(c) Calculations submitted with prior Title V application 8/6/04.

- 40 CFR 60.670 et. seq. – NSPS OOO: New Source Performance Standards for Non-Metallic Mineral Processing. Equipment was manufactured before 1983, pre-dating applicability for NSPS OOO.
- 40 CFR 60.730 et. seq. – NSPS UUU: New Source Performance Standards for Calciners and Dryers. The standard does not apply to wet, formed brick. Sand dryer was manufactured in 1972, pre-dating applicability date for NSPS UUU.
- 40 CFR 63.8380 et. seq. – MACT JJJJ - In their decision dated 3/3/07 the District of Columbia Circuit Court of Appeals vacated 40 CFR 63 Subpart JJJJ (the Brick MACT). *See "Future Applicable" Requirements.*
- Greenhouse Gas Emissions: There are no greenhouse gas (GHG) permitting requirements.
- Opacity Exclusion: The startup, shut down, and malfunction opacity exclusion listed in 9 VAC 5-40-20 A.4 cannot be included in any Title V permit. This portion of the regulation is not part of the federally approved state implementation plan. The opacity standard applies to existing sources at all times including startup, shutdown, and malfunction. Opacity exceedances during malfunction can be affirmatively defended provided all requirements of the affirmative defense section of this permit are met. Opacity exceedances during startup and shut down will be reviewed with enforcement discretion using the requirements of 9 VAC 5-40-20 E, which state that "At all times, including periods of startup, shutdown, soot blowing and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions."

COMPLIANCE PLAN

A compliance plan is not required.

INSIGNIFICANT EMISSION UNITS

There were no insignificant emissions units identified

CONFIDENTIAL INFORMATION

The permittee did not submit a request for confidentiality. All portions of the Title V application are suitable for public review.

PUBLIC PARTICIPATION

Public notice for the proposed permit was published in the Roanoke Times and World News on July 8, 2011. The public comment period took place from July 9, 2011 through August 8, 2011, with concurrent review by EPA Region III. Public notice was also provided to West Virginia and North Carolina for permit review, with no significant comments received.

LIST OF ATTACHMENTS

ATTACHMENT A: ANNUAL EMISSION INVENTORY STATEMENT for 2010.

ATTACHMENT B: Minor NSR Permit to construct and operate replacement sand dryer and related equipment, dated October 2, 1987.

ATTACHMENT C: State Operating Permit (SOP) dated September 13, 2004.

ATTACHMENT A

ANNUAL EMISSION INVENTORY STATEMENT for 2010

Registration Number: 20302

County - Plant ID: 775-00001

Plant Name: Old Virginia Brick Company Inc.

POLLUTANT EMISSIONS REPORT (PLANT) (Tons/Year)Parameter List

Pollutant Type: All Pollutants

Years: 2010-2010

	CO	HCL	HF	NO2	PB	PM	PM 10	PM 2.5
2010	14.818	2.099	4.569	4.322	0.002	5.015	3.499	0.041

Run Date: 06/14/2011 11:06:04 AM

Commonwealth of Virginia
Department of Environmental Quality

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Registration Number: 20302

County - Plant ID: 775-00001

Plant Name: Old-Virginia-Brick-Company-Inc

POLLUTANT EMISSIONS REPORT (PLANT) (Tons/Year)

Pollutant Type: All Pollutants

Years: 2010-2010

SO2

VOC

2010

8.273

0.296

Parameter List

ATTACHMENT B

Minor NSR Permit to construct and operate replacement sand dryer and related equipment
dated October 2, 1987

ELIZABETH H. HASKELL, CHAIRMAN
MARTINSVILLE
CARL C. REDINGER, VICE CHAIRMAN
ALEXANDRIA
TIMOTHY E. BARROW
VIRGINIA BEACH
MANUEL DEESE
RICHMOND
WALLACE E. REED
CHARLOTTESVILLE



OCT 7 1987

DSE-697-87

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COMMONWEALTH of VIRGINIA
State Air Pollution Control Board

ROOM 801, NINTH STREET OFFICE BUILDING
POST OFFICE BOX 10089
RICHMOND, VIRGINIA 23240
(804) 786-2378

RICHARD L. COOK
EXECUTIVE DIRECTOR

October 2, 1987

Mr. Fletcher Smoak
President
Old Virginia Brick Company
Division of Tarmac
P. O. Box 508
Salem, VA 24153

Location: Salem
Registration No: 20302
County-Plant No: 2720-0001

Dear Mr. Smoak:

Attached is a permit to construct and operate a replacement sand dryer and related equipment at the brick plant in Salem in accordance with the provisions of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution.

In the course of evaluating the application and arriving at a final decision to approve the project, the Virginia State Air Pollution Control Board (SAPCB) deemed the application complete on September 4, 1987.

This approval to construct and operate shall not relieve Old Virginia Brick Company of the responsibility to comply with all other local, State and Federal air pollution control regulations.

If you have any questions concerning this permit, please contact the Director, Region II, at (703) 982-7328.

Sincerely,

A handwritten signature in cursive script, reading "Richard L. Cook".

Richard L. Cook
Executive Director

RLC/edb

Attachment

cc: Director, Division of Source Evaluations, JFL Director, Region II
Director, Division of Computer Services Suite A, 5338 Peters Creek Road
Roanoke, VA 24019

ELIZABETH H. HASKELL, CHAIRMAN
MARTINSVILLE
CARL C. REDINGER, VICE CHAIRMAN
ALEXANDRIA
TIMOTHY E. BARROW
VIRGINIA BEACH
MANUEL DEESE
RICHMOND
WALLACE E. REED
CHARLOTTESVILLE



DSE-697-87

COMMONWEALTH of VIRGINIA
State Air Pollution Control Board

RICHARD L. COOK
EXECUTIVE DIRECTOR

ROOM 801, NINTH STREET OFFICE BUILDING
POST OFFICE BOX 10089
RICHMOND, VIRGINIA 23240
(804) 786-2378

PERMIT TO CONSTRUCT AND OPERATE

In compliance with the Federal Clean Air Act and the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution,

Old Virginia Brick Company
Division of Tarmac
P. O. Box 508
Salem, Virginia 24153
Registration No. 20302
County-Plant No. 2720-0001

is authorized to construct and operate

a replacement sand dryer and
related equipment

located at

US 11/460
Salem, Virginia

in accordance with the Specific Conditions (emission limitations, monitoring and testing requirements) and the General Conditions set forth in Parts I and II herein.

Approved this second day of October, 1987.

A handwritten signature in cursive script, reading "Richard L. Cook".
Richard L. Cook
Executive Director

Permit Consists of 5 pages.
Part I - Specific Conditions 1 to 9.
Part II - General Conditions 1 to 12.
Part III - Document List, 3 items.

PART I - SPECIFIC CONDITIONS - the regulatory reference and authority for each condition is listed in parenthesis () after each condition.

1. The sand dryer is located at the brick plant on US 11/460 in Salem.
2. Construction and operation shall be conducted as proposed in the permit application dated September 4, 1987. The permit application and supporting documents (see Document List) are a part of this permit.
(Section 120-02-11 of State Regulations)
3. The equipment to be installed consists of:
 - one sand dryer, two tons per hour rated capacity, with a baghouse dust collector
 - plus related equipment with all emissions controlled by fabric filters.
4. The sand dryer throughput shall not exceed 4,160 tons per year.
(Section 120-02-11 of State Regulations)
5. Emissions from the operation of the sand dryer shall not exceed the limitations specified below:

Particulate Matter	1.7 lbs/hr	1.8 tons/yr
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Visible emissions shall not exceed five percent opacity.
(Section 120-05-0403 of State Regulations)
6. Emissions from the operation of the all equipment related to the sand dryer shall not exceed the limitations specified below:
Visible emissions shall not exceed five percent opacity.
(Section 120-05-0403 of State Regulations)
7. Particulate emissions from the sand dryer and all related equipment shall be controlled by fabric filters. The fabric filters shall be provided with adequate access for inspection.
(Section 120-08-01 F of State Regulations)
8. The approved fuel for the sand dryer is gas. A change in the fuel may require a permit to modify and operate.
(Section 120-08-01 of State Regulations)
9. Stack testing shall not be required due to the existence of adequate data to allow the SAPCB staff to make the technical assessment that the source can operate in compliance. An opacity test shall be conducted on each emissions point of the sand dryer and all related equipment. The details of the test shall be arranged with the Director, Region II.
(Section 120-08-01 H5 of State Regulations)

PART II - GENERAL CONDITIONS

1. The permittee shall furnish written notification to the Board (Director, Region II) of:
 - a. The actual date on which construction commenced within 30 days after such date.
 - b. The actual start-up date within 15 days after such date.
(Section 120-05-05 of State Regulations)
2. The permitted facility shall be designed and constructed so as to allow emissions testing using the methods prescribed upon reasonable notice at any time.
(Sections 120-05-03 and 120-06-03 of State Regulations)
3. The Company shall develop, maintain, and have available to all operators good written operating procedures for all air pollution control equipment. A maintenance schedule for all such equipment shall be established and made available to the State Air Pollution Control Board for review. Records of service and maintenance shall be maintained on file by the source for a period of two (2) years.
(Section 120-02-11 of State Regulations)
4. The Board reserves the right to modify and, if appropriate, to reissue or to rescind this permit if prior to operation there is a substantive change in any of the data upon which the decision to approve this permit was based.
(Section 120-02-11 of State Regulations)
5. All local zoning and building requirements must be met before commencing construction.
(Section 120-02-11 of State Regulations)
6. If, for any reason, the permittee does not comply or will not be able to comply with the emission limitations or other conditions specified in this permit, the permittee shall provide in writing to the Board (Director, Region II) the following information as soon as possible but no later than five (5) days after such conditions become known to the permittee:
 - a. description of noncompliance;
 - b. cause of noncompliance;
 - c. anticipated time the noncompliance is expected to continue or, if corrected, the actual duration of noncompliance;

State Permit to Construct and Operate
Old Virginia Brick Company - Division
of Tarmac
Registration No. 20302
October 2, 1987
Page 4

- d. steps taken by the permittee to minimize or eliminate the noncompliance; and
- e. steps taken by the permittee to prevent recurrence of the non-compliance.

Submittal of this report does not constitute a waiver of the emission limitations or other conditions of this permit nor does it in any way restrict the SAPCB's authority to enforce the permit conditions pursuant to Section 113 of the Clean Air Act.
(Section 120-02-11 of State Regulations)

- 7. The permitted facility is to be constructed and operated as represented in the permit application referenced in Condition 2 of Part I. No changes in the permit application specifications or any existing facilities shall be made which alter the emissions into the ambient air or alter the impact of the facility on air quality without the prior written approval of the Board.
(Section 120-02-11 of State Regulations)
- 8. The facility shall operate in compliance with Rules 4-3 and 5-3, Non-Criteria Pollutants. No changes in the facility that alter emissions of any non-criteria pollutant or cause the emission of additional non-criteria pollutants shall be made without the prior written approval of the Board.
(Sections 120-04-0305 and 120-05-0305 of State Regulations)
- 9. This approval shall become invalid if construction of the proposed plant is not commenced by April 1, 1989 or if it is discontinued for a period of 18 months.
(Section 120-08-01 I of State Regulations)
- 10. In the event of any change in control of ownership of the permitted source, the permittee shall notify the succeeding owner of the existence of this permit by letter and send a copy of that letter to Director, Region II.
(Section 120-02-11 of State Regulations)
- 11. The conditions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of that provision to other circumstances, and the remainder of this permit, shall not be affected thereby.
(Section 120-02-11 of State Regulations)

12. This permit approval is only applicable to the permit requirements of the State Air Pollution Control Board and does not alter permit requirements by any other local, state, or federal government agency. Old Virginia Brick Company - Division of Tarmac is cautioned that approval of this permit should not be construed to mean its operation is automatically in compliance with all aspects of the Regulations for the Control and Abatement of Air Pollution. State Air Board personnel will be constantly evaluating all sources for compliance with Part V, Section 120-05-0103 - Standard for Visible Emissions, Section 120-05-0104 - Standard for Fugitive Dust/Emissions, and Section 120-05-0203 - Standard for Odorous Emissions. Compliance with all air pollution regulations must be a continuing, full time effort. (Section 120-02-11 of State Regulations)

Annual requirements to fulfill legal obligations to maintain current stationary source emissions data will necessitate your response to requests for information to include, as appropriate: fuel consumption by type, heat value, sulfur and ash content; process and production data; refuse disposal by incineration including auxiliary fuels burned; storage, handling and use of liquid organic compounds; and, changes in stack data, control equipment, and operating schedules. Such requests for information from the Regional Office will either be in writing or by personal contact of field enforcement personnel. Emissions data provided to the Board by a source must be made available to the public upon request; process data for individual facilities and plants will be made available to the public upon request unless the source claims, in writing, the information is proprietary and that it should be held as confidential.
(Section 120-02-31 of State Regulations)

PART III - DOCUMENT LIST

1. Permit application Old Virginia Brick Company - Division of Tarmac, dated September 4, 1987 signed by Fletcher Smoak.
2. State Air Pollution Control Board, Region II engineering analysis, dated September 14, 1987.
3. Notice to City Manager, Salem, dated September 17, 1987.

ATTACHMENT C

State Operating Permit (SOP) dated September 13, 2004

7-12-04
7,25/04
1253



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

W. Tayloe Murphy, Jr.
Secretary of Natural Resources

West Central Regional Office
3019 Peters Creek Road, Roanoke, Virginia 24019
Telephone (540) 562-6700, Fax (540) 562-6725
www.deq.state.va.us

Robert G. Burnley
Director

Steven A. Dietrich
Regional Director

September 13, 2004

Mr. Fletcher Smoak
President
Old Virginia Brick Company, Inc.
Post Office Box 508
Salem, VA 24153

Location: Salem
Registration No.: 20302
AIRS ID No. 51-161-0001

Dear Mr. Smoak:

Attached is a state operating permit to operate a brick manufacturing facility in accordance with the provisions of the Commonwealth of Virginia State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution. This permit contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and civil penalty. Please read all permit conditions carefully.

In the course of evaluating the application and arriving at a final decision to approve the project, the Department of Environmental Quality (DEQ) deemed the application complete on May 18, 2004 and solicited written public comments by placing a newspaper advertisement in the Roanoke Times on August 8, 2004. The required comment period, provided by 9 VAC 5-80-1020 A expired on September 8, 2004.

This approval to install and operate shall not relieve Old Virginia Brick Company, Inc. of the responsibility to comply with all other local, state, and federal permit regulations.

The Board's Regulations as contained in Title 9 of the Virginia Administrative Code 5-170-200 provides that you may request a formal hearing from this case decision by filing a petition with the Board within 30 days after this case decision notice was mailed or delivered to you. 9 VAC 5-170-180 provides that you may request direct consideration of the decision by the Board if the Director of the DEQ made the decision. Please consult the relevant regulations for additional requirements for such requests.

Mr. Fletcher Smoak
September 13, 2004
Page 2

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date of service of this decision (the date you actually received this decision or the date on which it was mailed to you, whichever occurred first), within which to initiate an appeal of this decision by filing a Notice of Appeal with:

Robert G. Burnley, Director
Department of Environmental Quality
P. O. Box 10009
Richmond, VA 23240-0009

In the event that this decision is served on you by mail, three days are added to the period in which to file an appeal. Please refer to Part Two A of the Rules of the Supreme Court of Virginia for information on the required content of the Notice of Appeal and for additional requirements governing appeals from decisions of administrative agencies.

If you have any questions concerning this permit, please call the regional office at (540) 562-6700.

Sincerely,



Steven A. Dietrich, P.E.
Regional Director

SAD/gts

Attachments: Permit
NESHAPS, Subpart JJJJ

cc: Director, OAPP (electronic file submission)
Manager, Data Analysis (electronic file submission)
Chief, Air Enforcement Branch (3AP12), U.S. EPA, Region III
Dr. Michael J. Scanlan
Gail Taber Steele w/ attachments
Bob Saunders/John Lester w/ attachments



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

W. Tayloe Murphy, Jr.
Secretary of Natural Resources

West Central Regional Office
3019 Peters Creek Road, Roanoke, Virginia 24019
Telephone (540) 562-6700, Fax (540) 562-6725
www.deq.state.va.us

Robert G. Burnley
Director

Steven A. Dietrich
Regional Director

STATIONARY SOURCE PERMIT TO OPERATE
This permit includes designated equipment subject to
National Emission Standards for Hazardous Air Pollutants for
Brick and Structural Clay Ceramics Manufacturing.

In compliance with the Federal Clean Air Act and the Commonwealth of Virginia
Regulations for the Control and Abatement of Air Pollution,

Old Virginia Brick Co. -- Salem Plant
P. O. Box 508
Salem, VA 24153
Registration No.: 20302
AIRS ID No.: 51-161-0001

is authorized to operate

a brick manufacturing facility

located at

2500 West Main Street
Salem, VA

in accordance with the Conditions of this permit.

Approved on September 13, 2004.

for Robert G. Burnley
Director, Department of Environmental Quality

Permit consists of 7 pages.
Permit Conditions 1 to 20.

PERMIT CONDITIONS - the regulatory reference or authority for each condition is listed in parentheses () after each condition.

APPLICATION

1. Except as specified in this permit, the permitted facility is to be operated as represented in the permit application dated February 4, 2004, including amendment information dated March 12, 2004 and May 18, 2004. Any changes in the permit application specifications or any existing facilities which alter the impact of the facility on air quality may require a permit. Failure to obtain such a permit prior to construction may result in enforcement action.
(9 VAC 5-80-830)
2. **Equipment List** - Equipment to be operated at this facility consists of:
 - two natural gas/propane fired tunnel kilns (KIL3 and KIL4), each rated at 26 million BTU/hr input (NESHAPS Subpart JJJJJ)
3. **Testing/Monitoring Ports** - The permitted facility shall be constructed so as to allow for emissions testing and monitoring upon reasonable notice at any time, using appropriate methods. This includes constructing the facility such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and providing stack or duct that is free from cyclonic flow. Test ports shall be provided when requested at the appropriate locations.
(9 VAC 5-80-880)

OPERATING/EMISSION LIMITATIONS

4. **Production** - The production of fired bricks from each kiln shall not exceed 9.9 tons per hour, calculated monthly as a 12 month rolling average (i.e., production during each 12 month period divided by 8760 hours per year).
(9 VAC 5-80-850)
5. **Production** - The production of fired bricks from both kilns (combined) shall not exceed 100,000 tons per year, calculated monthly as the sum of each consecutive 12 month period.
(9 VAC 5-80-850)
6. **Fuel** - The approved fuels for the tunnel kilns are natural gas and propane. A change in the fuel may require a permit to modify and operate.
(9 VAC 5-80-850)

7. **Emission Limits** - Emissions from the operation of **each** tunnel kiln shall not exceed the limits specified below:

Particulate Matter	11.4 lbs/hr
PM-10	11.4 lbs/hr
Sulfur Dioxide	8.0 lbs/hr
Nitrogen Oxides (as NO ₂)	4.2 lbs/hr
Carbon Monoxide	14.3 lbs/hr
Volatile Organic Compounds	0.3 lbs/hr
Lead	1.8×10^{-3} lbs/hr
Hydrogen Fluoride	4.4 lbs/hr
Hydrogen Chloride	2.0 lbs/hr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition number 4.
(9 VAC 5-80-850)

8. **Emission Limits** - Emissions from the operation of the two tunnel kilns (**combined**) shall not exceed the limits specified below:

Particulate Matter	57.6 tons/yr
PM-10	57.6 tons/yr
Sulfur Dioxide	40.2 tons/yr
Nitrogen Oxides (as NO ₂)	21.0 tons/yr
Carbon Monoxide	72.0 tons/yr

Volatile Organic Compounds	1.4 tons/yr
Lead	9.0×10^{-3} tons/yr
Hydrogen Fluoride	22.2 tons/yr
Hydrogen Chloride	10.2 tons/yr

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits shall be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition number 5.
(9 VAC 5-80-850)

9. Toxics, Hazardous Air Pollutants

- a. The permittee shall operate this facility in compliance with 9 VAC 5 Chapter 60, Part II, Article 4 (9 VAC 5-60-200 et seq.) for all toxic compounds or HAPs.
- b. If a permit is required, failure to obtain the permit prior to the change in process formulation or the use of any additional toxic compound or HAP may result in enforcement action.

(9 VAC 5-80-850)

- 10. Visible Emission Limit** - Visible emissions from the tunnel kilns shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 60 percent opacity as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A).
(9 VAC 5-80-850)

RECORDS

- 11. On Site Records** - The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, West Central Region. These records shall include, but are not limited to:
- a. Hourly production of fired bricks from each kiln, calculated monthly as a 12 month rolling average as defined in Condition number 4.
 - b. Annual production of fired bricks from both kilns (combined), calculated monthly as the sum of each consecutive 12 month period.

- c. Annual throughput of natural gas and propane (in million cubic feet) to the two tunnel kilns (combined), calculated monthly as the sum of each consecutive 12 month period.
- d. All fuel supplier certifications.
- e. Records of the applicability determinations required under 40 CFR 63.10(b)(3), demonstrating the applicability status of the tunnel kilns with regard to 40 CFR 63, Subpart JJJJ.
- f. All other records required under 40 CFR 63, Subpart A (General Provisions) as they apply to 40 CFR 63, Subpart JJJJ.
- g. The pollutant-specific emission factors relied upon for the purpose of calculating actual emission rates, and associated equations.

These records shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-40-50 and 9 VAC 5-80-900)

GENERAL CONDITIONS

12. **Right of Entry** - The permittee shall allow authorized local, state, and federal representatives, upon the presentation of credentials:

- a. To enter upon the permittee's premises on which the facility is located or in which any records are required to be kept under the terms and conditions of this permit;
- b. To have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit or the State Air Pollution Control Board Regulations;
- c. To inspect at reasonable times any facility, equipment, or process subject to the terms and conditions of this permit or the State Air Pollution Control Board Regulations; and
- d. To sample or test at reasonable times.

For purposes of this condition, the time for inspection shall be deemed reasonable during regular business hours or whenever the facility is in operation. Nothing contained herein shall make an inspection time unreasonable during an emergency.

(9 VAC 5-170-130)

13. **Notification for Facility or Control Equipment Malfunction** - The permittee shall furnish notification to the Director, West Central Region of malfunctions of the affected facility or related air pollution control equipment that may cause excess emissions for more than one

hour, by facsimile transmission, telephone or telegraph. Such notification shall be made as soon as practicable but no later than four daytime business hours after the malfunction is discovered. The permittee shall provide a written statement giving all pertinent facts, including the estimated duration of the breakdown, within two weeks of discovery of the malfunction. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the permittee shall notify the Director, West Central Region in writing.

(9 VAC 5-20-180 C)

14. Facility or Control Equipment Malfunction - Hazardous Air Pollutant Processes –

Tunnel kilns 3 and 4 shall, upon request of the Department, shut down immediately if their emissions increase in any amount because of a bypass, malfunction, shutdown or failure of the process. The processes shall not return to operation until they are able to operate in the proper manner.

(9 VAC 5-20-180 F 3)

15. Violation of Ambient Air Quality Standard - The permittee shall, upon request of the DEQ, reduce the level of operation or shut down a facility, as necessary to avoid violating any primary ambient air quality standard and shall not return to normal operation until such time as the ambient air quality standard will not be violated.

(9 VAC 5-20-180 I)

16. Maintenance/Operating Procedures - The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment, monitoring devices, and process equipment which affect such emissions:

- a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
- b. Maintain an inventory of spare parts.
- c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.
- d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

Records of maintenance and training shall be maintained on site for a period of five years and shall be made available to DEQ personnel upon request.

(9 VAC 5-40-20 E)

17. Permit Suspension/Revocation - This permit may be suspended or revoked if the permittee:

- a. Knowingly makes material misstatements in the application for this permit or any amendments to it;
- b. Fails to comply with the terms or conditions of this permit;
- c. Fails to comply with any emission standards applicable to the equipment listed in Condition 2;
- d. Causes emissions from this facility which result in violations of, or interfere with the attainment and maintenance of, any ambient air quality standard;
- e. Fails to operate this facility in conformance with any applicable control strategy, including any emission standards or emission limitations, in the State Implementation Plan in effect on the date that the application for this permit is submitted;
- f. Fails to comply with the applicable provisions of 9 VAC 5-80-10, and Articles 8 and 9 of 9 VAC 5 Chapter 80.

(9 VAC 5-80-1010)

18. Change of Ownership - In the case of a transfer of ownership of a stationary source, the new owner shall abide by any current permit issued to the previous owner. The new owner shall notify the West Central Region of the change of ownership within 30 days of the transfer.

(9 VAC 5-80-940)

19. Registration/Update - Annual requirements to fulfill legal obligations to maintain current stationary source emissions data will necessitate a prompt response by the permittee to requests by the DEQ or the Board for information to include, as appropriate: process and production data; changes in control equipment; and operating schedules. Such requests for information from the DEQ will either be in writing or by personal contact. The availability of information submitted to the DEQ or the Board will be governed by applicable provisions of the Freedom of Information Act, §§ 2.1-340 through 2.1-348 of the Code of Virginia, § 10.1-1314 (addressing information provided to the Board) of the Code of Virginia, and 9 VAC 5-170-60 of the State Air Pollution Control Board Regulations. Information provided to federal officials is subject to appropriate federal law and regulations governing confidentiality of such information.

(9 VAC 5-80-900)

20. Permit Copy - The permittee shall keep a copy of this permit on the premises of the facility to which it applies.

(9 VAC 5-80-860 D)

OCR

The following pages contain the Optical Character Recognition text of the preceding scanned images.